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## THE MYSTERY OF A LAWYER'S RETAINER IN A DIVORCE SUIT.

AN EPISODIAL CURIOSITY—CHARGES AND COUNTER-CHARGES OF ADULTERY.

FRAUDULENT DIVORCEMENT Reduced to a Fine Art.

A WIFE TRIED, CONVICTED, AND SENTENCED WITHOUT HER KNOWLEDGE.

A RABBLE OF UNSCRUPULOUS LAWYERS. JUSTICE SYSTEMATICALLY STRANGLLED AND OUTRAGED.

Closed Courtrooms and Smothered Testimony.

THE NEW POLICY OF OUR CITY JUDICIARY.

THE BURIAL-PLACE OF CORRUPTION REVEALED.

We have often called attention to the swindling process by which divorces are obtained in this city; but a case is now pending before the Supreme Court that illustrates the villainous baseness in all its systematic rascality. It is amazing that, with all the judicial force and machinery continually in full blast in this city, some method could not be devised to rebuke and effectually put down these perpetual attempts on the part of both counsel and parties, at villainous intermeddling with the most sacred relation of civilized society. But all these repetitions of impudent fraud, are the clear outgrowth of the new policy adopted by the judiciary of this city, in testimony in divorce cases to be given before a referee, and thus causing the whole proceeding to be disposed of smoothly and quietly. This mode of procedure enables that rabble of professing lawyers with whom our city is cursed, who make the procurement of fraudulent divorces a business, to do up their guilty work successfully and effectually, and also enables scoundrelly applicants for divorce, who follow maximinity as an occupation, to push their lying enterprises through without reasonable detection. One of the vital elements of justice in both civil and criminal proceedings, consists in the fact that such proceedings be held in public. Open criminal trials are among the great distinguishing features of all true constitutional governments. This is conceived to be due as well to the public, as to the parties directly interested. Such a general policy is calculated to ensure justice, and surround fraudulent purposes with the observance of no man's eyes. The unprincipled lawyer and the unscrupulous party to a case, thus surrounded and watched, will find it quite impossible to escape detection in their meditated fraud. But if the proceedings are allowed to be smoothed up, as they are now authorized to be by the Judiciary of this city in divorce suits, the privacy of a referee's office, a boundless latitude is opened for just the criminal maxims of justice, which this city is continually flouting. The courts say it is an offence against public decency that the proceedings in divorce cases be transacted in public, and hence the wisdom of their new order, that all the proceedings in such cases, and all the papers connected with them, be kept as rigidly locked from the public eye as possible. But does it contribute to private morality that lawyers and parties be offered every temptation, as I furnished every facility for the continual practice of triumphant perjury and fraud? Is it more injurious to public morals that they know, in any matter at law, the entire and precise truth, disagreeable and offensive though it may be, exactly as it is, or that our system of legal practice in divorce cases should settle down into a chronic falsehood, a towering, rankling, unwholesome lie, involving alike the truth and the lies, and the whole world in a state of illegitimacy? We think there reflection, to the administration of our municipal judiciary, is a salutary & sensible reflection to induce us to adopt a policy,



A ROMANTIC WEDDING—A Spontaneous and Ill-tempered Outburst in Wedding at St. John's Church.



Lilly Smith "smashing" her husband at the Tombs Police Court, Centre Street.



HIGHWAYMAN ASSAULTING MANAGER THOMAS MAGUIRE ON EIGHTH STREET, NEAR BROADWAY, N. Y.



INDIGNANT HUSBAND CHASTISING AN INTRUSIVE GROCER AT LAFAYETTE, IND.



POLICEMAN WITH SEARCHING A SUSPECT ON JEFFERSON ST., ALBANY.

Such scenes fraud and perjury in public places beneath the shadow of a referee's office, and reduce the inherent gravity of a divorce proceeding below the level even of a contemptuous farce. Our judges, however, have honestly faced the facts, and in their new decree order, they have endeavored to both public morality and private honor. But we don't see it. The sighingly illustrations come now before us, darkness our optics, and assist greatly in disabling us from a vivid apprehension of closed court rooms, and smothered, hushed, silent testimony. What is this case? Some twelve months ago, a man by the name of Frazer A. Hermance applied in this city for a divorce from his wife, Mr. Kate A. Hermance. The aggrieved husband applied to apply for this remedy of divorce, he came from all matrimonial ties from his wife, on account of his wife's adultery. He was successful in getting this divorce. The case, as usual was ordered by the court to be sent before a referee. The referee, however, did not appear on the day appointed, and the case was adjourned at the time set to Chinatown. This other time is referred to the lady's residence, as incommunicado, and as clearly appears, was an important occasion, ornamenting the very initial stage of this divorce proceeding, as will be disclosed in the sequel. The wife was summoned to appear and defend in the action by mere publication in the papers. But this action, as it was evidently the intention that it should not, and the whole proceeding was begun, carried on,

TRIUMPHANTLY ENDED,  
without any knowledge whatever on the part of Mrs. Hermance that such a suit was in progress against her. But right here another interesting "little job" discloses itself, in connection with this latest proceeding of divorce by referee. Though the lady did not appear in answer to her husband's summons, for the very good reason that she had met the man with whom she was in suspicion that he had been her husband and moreover in secret wedlock. It is alleged to have been found to represent the lady in question, and appear for her defense. Miss Parsons responded to the summons in behalf of Mrs. Hermance, though the lady herself was utterly unconscious that she had been summoned. Is not this a pretty pretty quarrel, as it stands?

But this allegation of over the lawyer's appearance is on the other hand broadly denied, which involves the whole affair of this mysterious lawyer's appearance in a condition of lively and interesting mystery. The judgment divorcing Mrs. Hermance is still held to have been taken by defendant that is, that there was an agreement of the parties, which she signed in the defense. This judgment of divorce and end of course he kept a permanent secret from the wife. She ultimately learned the impressive fact, and of course no one could be more surprised than Mrs. H., when she realized that she had been secretly married and sentenced, without the slightest information on her part of the operation. This revelation was certainly not calculated to quiet the castled wits, but rather roused her to combative resistance, and drove her in the resolution to ventilate the whole.

She has now, however, or perhaps, of which she had been the subject, the parent of this object, Mrs. H. began efforts, through a counsel, a few months ago, to open the judgment concealed against her, and among the grounds on which she rests her motion to open the decree, the lady urges that the newspaper summary notifying her of the pending suit, was directed to Chicago, whereas as she alleges that at that very time she was living in the neighborhood of St. Louis, which is about twenty miles of that city, and that consequently she had no possible intimation of the proceeding that had been instituted against her.

Nor did she know anything about this learned





